

§ 370.51 Requirements.

An electronically signed transaction request cannot be accepted by the Bureau of the Public Debt unless the signature has been accomplished through a method that has been approved for specific purposes by the Bureau of the Public Debt.

§ 370.52 Time of acceptance.

A transaction request submitted electronically, including an offer to purchase a security, is accepted no earlier than at the moment the request is received by the Bureau of the Public Debt and no later than at the moment a message of acceptance is sent by the Bureau of the Public Debt, regardless of the method used to transmit the message of acceptance.

§ 370.53 Point of transaction.

For jurisdiction and venue purposes, the point of transaction for a transaction request handled pursuant to this subpart is Parkersburg, West Virginia, regardless of from where the transaction request is transmitted or where the transaction request is actually processed.

§ 370.54 Effect of electronic signature.

An electronic signature and any electronic record to which it is affixed or attached may not be denied legal effect, including legal effect as a signature, a writing, or an original, solely because the signature or record is in electronic form.

§ 370.55 Admissibility of digital signature.

The requirement of authentication or identification as a condition precedent to admissibility is satisfied by evidence sufficient to support a finding that a digital signature exists. However, in asserting a digital signature against a particular person in any civil litigation or dispute, extrinsic evidence of authenticity as a condition precedent of admissibility shall not be necessary to establish that a digital signature corresponds to a specific public key pair and that an electronic record to which the digital signature is affixed has not been altered from its original form.

§ 370.56 Negligence contributing to forged signature.

A person whose failure to exercise ordinary care substantially contributes to the creation or submission of a forged signature is precluded from disavowing the forged signature. The burden of production and the burden of persuasion is on the person against whom the signature is asserted to establish the exercise of ordinary care. However, in asserting a signature under this section, the Bureau of the Public Debt bears the burden of production and the burden of persuasion in establishing that it exercised ordinary care in relying upon the signature.

§ 370.57 Liability.

For any claim involving this subpart that may proceed against the Bureau of the Public Debt, the Bureau of the Public Debt's liability is limited to the amount of the transaction and does not extend to other damages or costs, including consequential damages, punitive damages, the costs of litigation, or payment of attorney fees. The liability of the Bureau of the Public Debt shall also be reduced by the amount of the loss resulting from a failure of the claimant to exercise due diligence, including a failure to follow standard commercial practices.

Subpart F—Additional Provisions**§ 370.60 Waiver of regulations.**

The Secretary reserves the right, in the Secretary's discretion, to waive any provision(s) of these regulations in any case or class of cases for the convenience of the United States or in order to relieve any person(s) of unnecessary hardship, if such action is not inconsistent with law, does not impair any existing rights, and the Secretary is satisfied that such action will not subject the United States to any substantial expense or liability.

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